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Substitute for form 1449/PTO				Complete if Known		
				Application Number	09/970,389-Conf. #9683	
IN	NFORMATION	I DI	SCLOSURE	Filing Date	October 2, 2001	
S	TATEMENT E	3Y /	APPLICANT	First Named Inventor	Donald J. Merkley	
_				Art Unit	1791	
	(Use as many she	eets as	necessary)	Examiner Name	M. Halpern	
Sheet	1	of	2	Attorney Docket Number	129843-1022	

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	A1*	US-4,486,234	12-04-1984	Herr			
	A2*	US-6,613,424	09-02-2003	Putt et al.			
		:		4000			

FOREIGN PATENT DOCUMENTS								
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear			
Initials*	No.1	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Date MM-DD-YYYY			T <sup>6</sup>		
	B1*	EP-0331666-A1	09-06-1989	Eternit Werke Hatschek L et al.				

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>8</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08b (07-09)

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Cub	ostitute for form 1449/PTO			Complete if Known		
Sur	ostitute for form 1449/PTO			Application Number	09/970,389-Conf. #9683	
IN	NFORMATION	1 DI	SCLOSURE	Filing Date	October 2, 2001	
	TATEMENT E		=	First Named Inventor	Donald J. Merkley	
				Art Unit	1791	
	(Use as many she	eets as	necessary)	Examiner Name	M. Halpern	
Sheet	2	of	2	Attorney Docket Number	129843-1022	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	C1*	BLANKENHORN et al., "Temperature and Moisture Effects on Selected Properties of Wood Fiber-Cement Composites" Cement and Concrete Research 29 (1999) pp.737-741	
	C2*	European Patent Office, Communication pursuant to Rule 114(2) EPC, Observations by a Third Party in EP Application No. 01975765.7 dated 07/02/2010 (13 pgs.)	
	C3*	European Patent Office, Communication pursuant to Rule 114(2) EPC, Observations by a Third Party in EP Application No. 01973377.3 dated 06/25/2010 (3 pgs.)	
	C4*	European Patent Office, Communication under Rule 71(3) EPC for EP 01973377.3 dated 07/07/2010 (1 pg.) and Communication pursuant to Article 94(3) EPC for EP 01973377.3 dated 07/12/2010 (4 pgs.)	

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